

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN CHARLES KENNEY,  
Plaintiff,

Civil No. 1:CV-00-2143

FILED Hon. Judge McClure, Jr.  
WILLIAMSPORT, PA (presiding)

v.

OCT 12 2001

JAKE MENDEZ, Warden, Magistrate Blewitt  
Defendants. Deputy Clerk

NOTICE OF APPEAL FROM MAGISTRATE JUDGE  
TO DISTRICT COURT JUDGE PURSUANT TO 28  
USCA 636(C)(4) AND CIVIL RULE 73(d)

COMES NOW PLAINTIFF, John Charles Kenney, acting pro se in the above captioned civil case. Kenney today on Tuesday, October 9, 2001, received three ORDERS from Magistrate Blewitt, dated 10/4/01. Mag. Blewitt had granted the following:

- 1) Plaintiff's Renewal Motion for Appointment of Counsel (Doc. 45) is DENIED;
- 2) All discovery shall be complete by January 15, 2002. All case dispositive motions shall be filed by February 15, 2002;
- 3) Defendants, by their counsel, may take the deposition of plaintiff, John Charles Kenney, at a place and time suitable to the Bureau of Prisons.

For all the relevant reasons contained in Kenney's recently filed Renewal Motion For Appointment OF COUNSEL, dated 9/17/01. That, Kenney hereby wishes to appeal the above ORDERS entered 10/4/01.

Dated: 10/9/01

Kenney #05238-041

Mr. John Charles Kenney, pro se

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JOHN CHARLES KENNEY,  
Plaintiff,

Civil No. 1:CV-00-2143  
Hon. Judge McClure, Jr.  
(presiding)

v.

JAKE MENDEZ, Warden, et al.,  
Defendants.

Magistrate Blewitt

CERTIFICATE OF SERVICE BY AN INCARCERATED LITIGANT

I, John Charles Kenney, plaintiff, acting prose hereby certify that on Tuesday, October 9, 2001, I forwarded a true carbon-copy of a timely "NOTICE OF APPEAL" pursuant to 28 USCA 636(c)(4), and Civil Rule 73(d). By placing said contents in a postpaid first class, pre-addressed envelope mailed to Defendants' Representative below:

The Honorable TETZ  
U.S. Attorney's Office  
Federal Building, Ste. 316  
240 West Third Street  
Williamsport PA 17701-6465

I further certify that this certificate is compliant with Local Rule 7.2. governing certificates of service.

Kenney # 05238-041  
Mr. John Charles Kenney, prose